

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SHAWN DIARRA MCSWAIN,

Plaintiff,

Case No. 22-cv-10755  
Hon. Matthew F. Leitman

v.

BRIAN R. GAGNIUK,

Defendant.

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**ORDER TO FILE LEGIBLE COPY OF COMPLAINT**

Plaintiff Shawn Diarra McSwain is a state prisoner in the custody of the Michigan Department of Corrections. On March 30, 2022, McSwain, appearing *pro se*, filed a prisoner civil rights Complaint against Defendant Brian R. Gagniuk. (*See* Compl., ECF No. 1.) McSwain has also filed an application to proceed *in forma pauperis* (“IFP”) in this action. (*See* Application, ECF No. 2.)

When a prisoner-plaintiff moves for IFP status, the Court must review the Complaint under the Prison Litigation Reform Act of 1996 (the “PLRA”) and dismiss any action that is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant immune from such relief. *See* 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c).

Here, the Court cannot undertake the required review under the PLRA because the Court cannot read the copy of the Complaint that McSwain has filed. Indeed, the handwriting on that filing is so light, the Court cannot make out any of McSwain's allegations. Accordingly, the Court **DIRECTS** McSwain to re-file his Complaint by no later than **June 1, 2022**. The new version of the Complaint shall either be typed or written in dark pencil or pen so that the Court can read and review McSwain's allegations. If McSwain fails to respond to this Order as directed above, the Court will dismiss his Complaint without prejudice.

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: April 21, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 21, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan  
Case Manager  
(313) 234-5126